

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CALVIN BALDWIN,

Plaintiff,

v.

HOLLAND AMERICA LINE N.V., et al.,

Defendants.

CASE NO. 20-CV-01706-LK

ORDER DENYING STIPULATED
MOTION TO EXTEND
DISCOVERY

Before the Court is the parties' Stipulation to Continue Discovery Cut-Off. Dkt. No. 15. The current deadline for expert disclosure and close of discovery in this case is June 20, 2022. *See* Dkt. No. 12 at 1. The parties ask the Court to push the close of discovery to August 15, 2022. Dkt. No. 15 at 2. Mediation is scheduled for May 3, 2022, and while the parties "expect to settle this matter," they want to extend discovery "to allow time for expert depositions" in case they do not settle. *Id.* More specifically, this will allow time "to disclose rebuttal experts and conduct discovery and depositions of designated experts." *Id.*

The Court may modify a schedule "only for good cause[.]" Fed. R. Civ. P. 16(b)(4). Here, however, the parties premise their request on speculation—the possibility that they may not settle

1 this case and could require additional time for rebuttal expert disclosures and depositions.¹ The
2 Court cannot find good cause based solely on speculation. *See Johnson v. Mammoth Recreations,*
3 *Inc.*, 975 F.2d 604, 609 (9th Cir. 1992) (a district court may modify the pretrial schedule if it cannot
4 reasonably be met despite the diligence of the moving party). Although the parties' motion is
5 premature, they are free to file another motion if they find themselves with good cause to modify
6 the scheduling order. *See* LCR 7(j), 16(b)(6).

7 The Court denies without prejudice the parties' stipulated motion, Dkt. No. 15.

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9 Dated this 21st day of April, 2022.

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11 Lauren King
12 United States District Judge
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22 ¹ The parties assert that the requested extension to August 15, 2022 "will not interfere with any other dates." Dkt. No.
23 15 at 2. The Court notes that the deadline to file dispositive motions and motions challenging expert witness testimony
24 is July 19, 2022, Dkt. No. 14 at 2, and any extension of this deadline will necessarily affect all other remaining
deadlines in the case. *See* Standing Order for All Civil Cases, p. 5 (the Court "will not decrease the amount of time
between the dispositive motion deadline and the trial date unless the parties set forth an extraordinary basis for doing
so.").